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the Elimination
of all Forms of
Racial Discrimination

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Fifty-sixth session
6-24 March 2000

CONSIDERATION OF REPORTS SUBMITTED BY STATES
PARTIES UNDER ARTICLE 9 OF THE CONVENTION

Concluding observations of the Committee on the Elimination of
Racial Discrimination

France

1. The Committee considered the twelfth, thirteenth and fourteenth periodic reports of France, submitted as one document (CERD/C/337/Add.5), at its 1373rd and 1374th meetings (CERD/C/SR/1373 and 1374), held on 6 and 7 March 2000. At its 1396th meeting, held on 23 March 2000, it adopted the following concluding observations.

A. Introduction

2. The Committee welcomes the reports submitted by the State party and the additional oral and written information provided by a delegation which included representatives of many government departments. At the same time it regrets the late submission of the present reports.

3. The Committee considers that the twelfth, thirteenth and fourteenth reports do not adequately address the Committee's concluding observations on the previous reports (A/49/18, paras. 140-159), although the delegation addressed some of them orally.

B. Positive aspects

4. The Committee notes with satisfaction, among new measures against racial discrimination, the law of 29 July 1998 detailing action against exclusion, the reorganization and extension of departmental anti-racism bureaux, the establishment of departmental commissions on access to citizenship, the work of the Study Group on Discrimination, the creation of departmental committees for coordinating policies against exclusion and of departmental councils on access to justice, and provisions for mediation. The Committee commends the part played by the National Consultative Commission on Human Rights in action against racial discrimination.

5. The Committee also notes that the Government has acted systematically in the suppression of speech and publications likely to incite racial hatred.

C. Concerns and recommendations

6. Since the Committee considers that the prohibition of attempts to justify crimes against humanity, and of their denial, should not be limited to those committed during the Second World War, it welcomes the assurance provided by the delegation and requests that the State party report thereon in its next periodic report.

7. While taking note of the State party's view of the importance of individual privacy when collecting information on the composition of the population, the Committee expresses concern about the paucity of information for monitoring implementation of the Convention.

8. While noting that French penal legislation satisfies most of the requirements of article 4, the Committee reiterates its recommendation that France ensure the effective prohibition of actions which are discriminatory in effect on the basis of race or ethnic or national origin, in accordance with its General Recommendation XIV (42).

9. The Committee expresses concern about possible discrimination in effect in the implementation of laws providing for the removal of foreigners from French territory, including persons in possession of valid visas, and the delegation of responsibilities which should be exercised by State officials.

10. In the light of article 3 of the Convention and its General Recommendation XIX (47), the Committee recommends that the State party monitor all tendencies which may give rise to racial or ethnic segregation and counter the negative consequences of such tendencies.

11. The Committee recommends that the State party include in the sixteenth periodic report, due on 27 August 2002, statistics on racially motivated offences, their investigation, and the punishment of the perpetrators.

12. The Committee reiterates its recommendation that France ensure the effective protection of the exercise, without discrimination, of the rights to work and to housing, in both the public and private sectors, and to provide compensation to victims of racial discrimination.

13. The Committee reiterates its recommendation that when France reviews its laws restricting certain occupations to French nationals it ensures that none is discriminatory in effect.

14. In accordance with article 5(f) of the Convention, it is recommended that the State party reinforce existing measures to ensure that access to places or services intended for use by the general public is not denied to any person on grounds of national or ethnic origin.

15. With regard to article 6 of the Convention, the Committee recommends that the State party reinforce the effectiveness of the remedies available to victims of racial discrimination.

16. The Committee expresses concern over reports that negative images of the Roma minority prevail in the mass media and in the public generally. It recommends that the State party give full effect to the provisions of article 7 of the Convention by adopting effective measures, particularly in the fields of education, training and human rights information, to combat such prejudices.

17. The Committee expresses concern that remedies available under article 14 of the Convention may not be sufficiently well known.

18. The Committee recommends that the State party's reports should be made readily available to the public from the time they are submitted and that the Committee's observations on those reports be similarly publicized.

19. It recommends that the State party's fifteenth periodic report, due on 27 August 2000, be an updating report responding to issues raised in the consideration of the present reports and to questions outstanding from the reports considered in 1994.